

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

09-CV-849S

ERIE COUNTY, NEW YORK;
CHRIS COLLINS, COUNTY EXECUTIVE;
ANTHONY BILLITTIER, IV, MD, COUNTY
HEALTH COMMISSIONER;
TIMOTHY B. HOWARD, ERIE COUNTY
SHERIFF; RICHARD T. DONOVAN,
ERIE COUNTY UNDERSHERIFF;
ROBERT KOCH, SUPERINTENDENT,
ADMINISTRATIVE SERVICES DIVISION,
JAIL MANAGEMENT DIVISION;
BARBARA LEARY, FIRST DEPUTY
SUPERINTENDENT FOR ERIE COUNTY
HOLDING CENTER; DONALD LIVINGSTON,
FIRST DEPUTY SUPERINTENDENT FOR
ERIE COUNTY CORRECTIONAL FACILITY,

Defendants.

**ORDER APPROVING STIPULATED SETTLEMENT AGREEMENT
CONCERNING SUICIDE PREVENTION AND RELATED MENTAL HEALTH ISSUES**

Plaintiff, the United States of America, and Defendants, Erie County, *et al.*, have determined that entering into a Stipulated Settlement Agreement and Order Concerning Suicide Prevention and Related Mental Health Issues ("Stipulated Settlement") (executed by the parties on or before June 18, 2010), rather than contested litigation, is the best way to resolve the United States' claims regarding suicide prevention and related mental health care.

The Court finds that the Stipulated Settlement (Docket No. 89-2) satisfies the requirements for prospective relief under the Prison Litigation Reform Act, 18 U.S.C. § 3626(a)(1)(A).

The Court shall retain jurisdiction over this case until the substance of the terms of the Stipulated Settlement are fulfilled and the case is dismissed.

The Court shall have the power to enforce the Stipulated Settlement.

IT HEREBY IS ORDERED, that the United States' Motion for Entry of the Stipulated Settlement Agreement and Order Concerning Suicide Prevention and Related Mental Health Issues (Docket No. 89) is GRANTED.

FURTHER, that the Stipulated Settlement (Docket 89-2) is APPROVED.

FURTHER, that the Stipulated Settlement satisfies the requirements of the Prison Litigation Reform Act, 18 U.S.C. § 3626(a)(1)(A).

FURTHER, that the Court shall retain jurisdiction over this case until the substance of the terms of the Stipulated Settlement are fulfilled and the case is dismissed.

FURTHER, that the Court shall have the power to enforce the Stipulated Settlement through all remedies permitted by law.

Dated: June 22, 2010
Buffalo, New York

/s/William M. Skretny
WILLIAM M. SKRETNY
Chief Judge
United States District Court